§ 206.65

the action taken by them against the People's Republic of China pursuant to consultation referred to in section 422(a) of the Act, the Commission will promptly conduct a review under section 422(j) of the Act regarding the continued need for action taken under section 422(h) of the Act. The Commission also will publish notice of the review in the FEDERAL REGISTER.

(b) The Commission will make available for public inspection the notification document that prompted a review under paragraph (a) of this section, excluding any confidential business information in the document. Paragraph (c) in §206.3 governs the availability for public inspection of a petition, request, resolution, or motion that prompted the Commission to institute an investigation under section 422(b) of the Act.

§ 206.65 Public hearing.

Public hearings in investigations under section 422(b) of the Act are provided for in §206.5(b).

§ 206.66 Limited disclosure of certain confidential business information under administrative protective order.

In an investigation under section 422(b) of the Trade Act, the Secretary shall make confidential business information available to authorized applicants, subject to the provisions of § 206.17.

§ 206.67 Time for determination and report.

(a) In an investigation under section 422(b) of the Trade Act, the Commission will transmit its determination under that section of the Act to the President and the Trade Representative at the earliest practical time, but not later than 45 days after the date on which the petition is filed, the request or resolution is received, or the motion is adopted, as the case may be. The Commission shall issue and transmit its report on the determination not later than 10 days after the determination is issued.

(b) In a review under section 422(j) of the Trade Act, the Commission will report its determination to the President not later than 60 days after the notification described in that section of the

§ 206.68 Public report.

Upon making a report to the President of the results of an investigation under section 422(b) or a review under section 422(j) of the Trade Act, the Commission will make such report public (with the exception of information which the Commission determines to be confidential) and cause a summary thereof to be published in the FEDERAL REGISTER.

PART 207—INVESTIGATIONS OF WHETHER INJURY TO DOMESTIC INDUSTRIES RESULTS FROM IMPORTS SOLD AT LESS THAN FAIR VALUE OR FROM SUBSIDIZED EXPORTS TO THE UNITED STATES

Sec.

207.1 Applicability of part.

Subpart A—General Provisions

207.2 Definitions applicable to part 207.

207.3 Service, filing, and certification of documents.

207.4 The record.

207.5 Ex parte meetings.

207.6 [Reserved]

207.7 Limited disclosure of certain business proprietary information under administrative protective order.

207.8 Questionnaires to have the force of subpoenas; subpoena enforcement.

Subpart B—Preliminary Determinations

207.10 Filing of petition with the Commission.

207.11 Contents of petition.

207.12 Notice of preliminary phase of investigation.

207.13 Cooperation with administering authority; preliminary phase of investigation.

207.14 Negative petition determination.

207.15 Written briefs and conference.

207.16 [Reserved] 207.17 Staff repor

207.17 Staff report. 207.18 Notice of preliminary determination.

201.10 Route of preliminary descrimination

Subpart C—Final Determinations, Short Life Cycle Products

207.20 Investigative activity following preliminary determination.

207.21 $\,$ Final phase notice of scheduling.

207.22 Prehearing and final staff reports.

207.23 Prehearing brief.

207.24 Hearing.

United States International Trade Commission

- 207.25 Posthearing briefs.
- 207.26 Statements by nonparties.
- 207.27 Short life cycle products. Anticircumvention.
- 207.29 Publication of notice of determination.
- 207.30 Comment on information.

Subpart D—Terminated, Suspended, and Continued Investigations, Investigations to Review Negotiated Agreements, and Investigations To Review **Outstanding Determinations**

- 207.40 Termination and suspension of investigation.
- 207.41 Commission review of agreements to eliminate the injurious effect of subsidized imports or imports sold at less than fair value.
- 207.42 Investigation continued upon request.
- 207.43 [Reserved]
- 207.44 Consolidation of investigations.
- 207.45 Investigation to review outstanding determination.
- 207.46 Investigations concerning certain countervailing duty orders.

Subpart E-Judicial Review

- 207.50 Judicial review.
- 207.51 Judicial review of denial of application for disclosure of certain business proprietary information under administrative protective order.

Subpart F—Five-Year Reviews

- 207.60 Definitions.
- 207.61 Responses to notice of institution.
- 207.62 Rulings on adequacy and nature of Commission review.
- 207.63 Circulation of draft questionnaires.
- 207.64 Staff reports.
- Prehearing briefs.
- 207.66 Hearing.
- Posthearing briefs and statements. 207.67
- 207.68 Final comments on information.
- Publication of determinations.

Subpart G—Implementing Regulations for the North American Free Trade Agreement

- 207.90 Scope.
- 207.91 Definitions.
- 207.92 Procedures for commencing review of final determinations.
- 207.93 Protection of proprietary information during panel and committee proceedings.
- 207.94 Protection of privileged information during panel and committee proceedings.

PROCEDURES FOR IMPOSING SANCTIONS FOR VIOLATION OF THE PROVISIONS OF A PROTEC-TIVE ORDER ISSUED DURING PANEL AND COM-MITTEE PROCEEDINGS

207.100 Sanctions.

- 207.101 Reporting of prohibited act and commencement of investigation.
- 207.102 Initiation of proceedings.
- 207.103 Charging letter.
- 207.104 Response to charging letter.
- 207.105 Confidentiality.
- 207.106 Interim measures.
- 207.107 Motions
- 207.108 Preliminary conference.
- 207.109 Discovery.
- 207.110 Subpoenas.
- 207.111 Prehearing conference.
- 207.112 Hearings.
- 207.113 The record.
- 207.114 Initial determination.
- 207.115 Petition for review.
- 207.116 Commission review on its own motion.
- 207.117 Review by Commission.
- 207.118 Role of the General Counsel in advising the Commission.
- 207.119 Reconsideration.
- 207.120 Public notice of sanctions.

AUTHORITY: 19 U.S.C. 1336, 1671-1677n, 2482, 3513.

Source: 44 FR 76468, Dec. 26, 1979, unless otherwise noted.

§ 207.1 Applicability of part.

Part 207 applies to proceedings of the Commission under section 516A and title VII of the Tariff Act of 1930 (19 U.S.C. 1303, 1516A and 1671-1677n) (the Act), other than investigations under section 783 (19 U.S.C. 1677n), which will be conducted pursuant to procedures specified by the Office of the United States Trade Representative.

[61 FR 37829, July 22, 1996]

Subpart A—General Provisions

SOURCE: 56 FR 11923, Mar. 21, 1991, unless otherwise noted.

§207.2 Definitions applicable to part

For the purposes of this part, the following terms have the meanings hereby assigned to them:

- (a) The term the Act means: The Tariff Act of 1930, as amended.
- (b) The term administering authority means: The Secretary of Commerce, or any other officer of the United States to whom the responsibility for carrying out the duties of the administering authority under section 303 or title VII of the Act is transferred by law.